

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ASHLEY SITES & GABRIEL YIBALE as
Administrators & Administrators *Ad*
Prosequendum on behalf of the ESTATE OF
ELLIANA DIEM YIBALE,

Plaintiffs,

V.

UNILEVER UNITED STATES, INC.; THE LAUNDRESS, LLC; and ABC CORP. #1-50 (fictitious names),

Defendants.

Civil Action No. 1:22-CV-10667-JMF

HONORABLE JESSE M. FURMAN

**NOTICE OF MOTION TO DISMISS
SECOND AMENDED COMPLAINT**

PLEASE TAKE NOTICE that Defendant The Laundress, LLC (“The Laundress”) moves this Court, before the Honorable Jesse M. Furman, Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, at a time and date to be determined by the Court, for an order dismissing Plaintiffs’ Second Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6).

In support, Defendant submits its Memorandum of Law in Support of the Motion to Dismiss Plaintiffs' Second Amended Complaint, which is being filed contemporaneously herewith. For the reasons explained in Defendant's Memorandum of Law, Plaintiffs' Second Amended Complaint should be dismissed.

PLEASE TAKE FURTHER NOTICE that pursuant to the Order of the Court, dated August 8, 2023 [ECF No. 43], any opposing affidavits and answering memoranda shall be served no later than September 22, 2023.

Dated: September 8, 2023.

Respectfully submitted,

/s/ Ronald Y. Rothstein

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